

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY****REGION 8****999 18<sup>TH</sup> STREET - SUITE 300****DENVER, CO 80202-2466****Phone 800-227-8917****<http://www.epa.gov/region08>**

November 6, 2003

Ref: 8EPR-SR

Mr. D.C. Orr  
1117 Nevada Avenue  
Libby, MT 59923

Dear Mr. Orr:

You phoned me yesterday with questions and accusations regarding work EPA is currently conducting at the new Millworks West location in Libby. Your primary questions and remarks were:

- (1) What work is occurring and why?
- (2) How can you access the Millworks West property to inspect and take pictures of the work? You stated that by my not granting you access that I was "obstructing an OIG (Office of Inspector General) investigation."
- (3) That you believe the work we were doing was being done to cover up an "illegal septic system" and "underground injection well."

Due to your continuing allegations of cover up, conspiracy, and government misconduct, I have opted to put my response in writing. Despite my efforts to discuss issues with you, provide you with documents that discuss our planned and completed work, and be as open as possible about EPA's cleanup efforts, you continue to allege that EPA is involved in or orchestrating some type of cover up. Here are my answers to your questions.

- (1) EPA is currently paving Building One at Millworks West. This work is part of the relocation/restoration agreement EPA reached with the owners of Millworks West.
- (2) First, on the phone, I told you Millworks West is private property and that the owners have a right to restrict access. Your right to access the property is between you and them and I see no special reason for EPA to attempt to provide you access, even if we could. Secondly, you do not work for the EPA OIG, nor are you working on behalf of any OIG investigation. I warned you that your remarks regarding the OIG could get you in trouble - my understanding is that representing yourself as a Federal official is a crime. You stated, "don't threaten me Jim." I did not intend my statement as a threat, only a suggestion of caution. This is at least the 2<sup>nd</sup> time you have stated or implied you are working on behalf of the EPA OIG. The first occurred a few



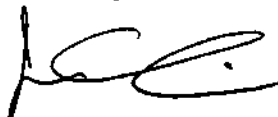
weeks ago when you crossed clearly marked access barriers at the boat ramp cleanup site and our security agency had to call the police to escort you from the site.

(3) To my knowledge, there is no underground injection well on the property. We had no reason to look for one or use one. Regarding waste water and septic tanks on the property, here is a discussion of what occurred and why from Peter Borowiec, a design engineer for Camp, Dresser, and McKee (CDM) who worked directly on this issue. CDM is a contractor to EPA and the Department of Transportation for Libby.

"Early in the design phase, City of Libby Building Inspector John Norberg and Supervisor of City Services Dan Thede indicated a connection to the city sewer main in Hwy 2 was required. Mr. John W. Peterson, a registered sanitarian working for Lincoln County, however, said connecting to the sewer main would not be allowed and provided me with a sketch showing the approximate location of the existing septic tank where the wastewater from Millwork West Bldg. No. 1 was to be pumped to. The new septic tank and discharge pump was installed behind Millwork West Bldg. No. 2 and the discharge pipe to the existing septic tank about 300 ft. away was installed in accordance with instructions from John Peterson. A 9/14/00 letter from Dan Thede to Lincoln County Sanitarian Ron Anderson stated that sewer service from the City of Libby system was not available at the time due to the distance involved to make the service connection. Based on that 9/14/00 letter from Dan Thede, CDM completed the design as directed by John Peterson."

You are welcome to submit a FOIA request for any documentation regarding this or any other issue. If you have any additional questions, please contact the EPA Information Center in Libby at 293-6194.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Christiansen", with a stylized flourish at the end.

Jim Christiansen  
Remedial Project Manager